ORIGINA

ROBERT S. YOUNG, JR. LINDSAY YOUNG ROBERT S. MAROUIS ROBERT S. STONE J. CHRISTOPHER KIRK MARK K. WILLIAMS IANIE C. PORTER GREGORY E. ERICKSON R. SCOTT ELMORE

McCampbell & Young

A PROFESSIONAL CORPORATION ATTORNEYS AT LAW

FEDERAL COMM COMMISSION 2021 PLAZA TOWER POST OFFICE BOX 550 KNOXVILLE, TENNESSEE 37901-0550

(615) 637-1440 TELECOPIER (615) 546-9731

February 3, 1992

RECEIVED

OFFICE OF THE SECRETARY

ALSO ADMITTED IN

ROBERT S. MARQUIS

VIRGINIA -

### Via Federal Express

The Honorable Donna R. Searcy, Secretary Federal Communications Commission 1919 M Street, N.W., Room 222 Washington, D.C. 20554

TV Branch Attn:

> Video Services Division Mass Media Bureau

Re:

BPCT-910617KE, Panama City Beach, Florida Amendment to Construction Permit Application Sunkissed Broadcasting, Inc., Applicant

Dear Ms. Searcy:

We submit herewith, on behalf of our client, Sunkissed Broadcasting, Inc., an original and duplicate copies of an amendment to its application for authority to construct and operate a new television broadcast station to serve the community of Panama City Beach on Channel 46 (File No. BPCT-910617KE). Also enclosed is an additional copy of the amendment to be datestamped by your office and returned to the undersigned in the enclosed self-addressed, stamped envelope.

Please note that the enclosed amendment is submitted in response to the Commission's Public Notice Report No. B-159, released December 20, 1991, which establishes February 4, 1992 as the deadline for submitting amendments as of right to the above application. Consequently, no petition for leave to amend is required for the amendment's acceptance.

FCC MAIL BRANCH

February 3, 1992 Page 2

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter. With kind regards, I remain

Very sincerely yours,

Robert\S. Stone

Counsel to Sunkissed Broadcasting, Inc.

RSS/dlb Enclosures

cc: Sunkissed Broadcasting, Inc.

for Public File



Federal Communications Commission Washington, D. C. 20554

#### FCC 301

Approved by OMB 3060-0027 Expires 2/28/92

See Page 25 for information

#### APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION For APPLICANT Fee Use Only For COMMISSION Fee Use Only FEE NO: Is a fee submitted with this application? N/A Yes No If fee exempt (see 47 C.F.R. Section 1.1112). FEE TYPE: indicate reason therefor (check one box): Noncommercial educational licensee FEE AMT: Governmental entity FOR COMMISSION USE ONLY ID SEQ: FILE NO. BPCT - 9/06/7KE Section | - GENERAL INFORMATION 1. Name of Applicant Send notices and communications to the follow person at the address below: Name Sunkissed Broadcasting, Inc. Robert S. Stone, Street Address or P.O. Box Street Address or P.O. Box 3017 Piedmont Road, N.E., Suite 200 Post Office Box 550 ZIP Code State ZIP Code State City Knoxville 37901-055D GA 30305 TNAtlanta Telephone No. lincipde Area Codel (615) 637-1440 Telephone No. linciude Area Codel (404) 262-7511 X TV 2. This application is for: AM FM (a) Channel No. or Frequency City State (b) Principal Panama City Beach FLChannel 46 Community (c) Check one of the following boxes: Application for NEW station MAJOR change in licensed facilities; call sign: MINOR change in licensed facilities; call sign: MAJOR modification of construction permit; call sign: File No. of construction permit: MINOR modification of construction permit; call sign: File No. of construction permit: AMENDMENT to pending application; Application file number: BPCT-910617KE $\mathbf{x}$ NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information. Yes X No 8. Is this application mutually exclusive with a renewal application? Community of License If Yes, state: Call letters City State

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM N/A 1. Does the applicant propose to employ five or more full-time employees? If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A). SECTION VII - CERTIFICATIONS X Yes 1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 78.3580? X Yes 2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose? Exhibit No. If No, attach as an Exhibit, a full explantion. 3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure. Name of Person Contacted Hugh V. Roche 904-769-2313 Telephone No. (include area code) Person contacted: (check one bes below) Owner Owner's Agent X Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an Authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

(general manager, WMBB-TV)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

# WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Signature
Jonath 5
Title
President

## FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1984, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 71 hours 45 minutes to 801 hours 80 minutes with an average of 118 hours 28 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20564, and to the Office of Management and Budget, Paperwork Reduction Project (3080-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(eX3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

#### EXHIBIT 1

#### INTERESTS IN BROADCAST STATIONS/APPLICATIONS

Donald L. Jones, president/treasurer/director/50% voting shareholder (331/4% equity owner) of the applicant herein, reports that since the applicant's construction permit application was filed on June 17, 1991 his ownership interest in the physical assets used in the operation of WAOS(AM), Austelle, Georgia has been sold. Mr. Jones has no further interest in or connection with the above radio station. Consummation of the above sale of the physical assets used in the operation of WAOS occurred on July 3, 1991.

The application of Coosa Radio Partnership, applicant for a new FM station to serving Coosa, Georgia (BPH-900226MC), in which Mr. Jones and his sister, Joyce Ware, were partners, has been dismissed pursuant to a settlement agreement by Memorandum Opinion and Order, FCC 91M-2530, released August 16, 1991.

At the request of Mr. Jones, without consideration, Administrative Law Judge John M. Frysiak dismissed his application for a new FM station to serve Bolingbroke, Georgia (BPH-900530ME) by Order, FCC 91M-2321, released July 29, 1991. It should be noted that neither the dismissal of the Bolingbroke, Georgia application nor the Coosa, Georgia application left unresolved character issues specified or requested against the applicant.

On September 20, 1991, the Commission granted the application of Genesis Broadcasting Corporation for a new FM station at Warner Robins, Georgia on FM Channel 273A (BPH-900518MS). As previously reported, Mr. Jones is president/director/50% voting shareholder (50% equity owner) of Genesis Broadcasting Corporation.

On December 12, 1991, William H. Sanders filed an application for consent to assignment of license of KDXR(FM), Borger, Texas from Sanders to South Central Broadcasting, Inc. (BALH-911212GT). Although the application has not been granted by the Commission to date, this will confirm that Mr. Sanders will sever all interests in and connections with KDXR(FM), Borger, Texas, well before commencement of program tests by Sunkissed Broadcasting, Inc. over Channel 46 at Panama City Beach, Florida.

On July 29, 1991, the Commission granted an application for voluntary transfer of control of Kentucky Radio Limited Partnership to William H. Sanders on FCC Form 316. Mr. Sanders now serves as 75% shareholder and director of CDK Communications, Inc., corporate general partner of Kentucky Radio Limited Partnership, licensee of WTKT(AM) (formerly WAXU) and WTKT-FM, Georgetown, Kentucky.

On October 31, 1991, an application for a new FM station at Bowdon, Georgia on FM Channel 288A (BPH-911031ME) was filed by Reliance Broadcasting, Inc., licensee of WBTR(FM), Carrollton, Georgia. Kenneth L. Bazzle is 331/6% stockholder of Reliance Broadcasting, Inc.

The application for assignment of license of KYEL-TV, Yuma, Arizona (BALCT-910318KE) to KB Media, Inc. has been granted. KB Media, Inc. now serves as licensee of the above television facility. William H. Sanders serves as secretary/treasurer/director/331/4% shareholder of KB Media, Inc. Kenneth L. Bazzle serves as 331/4% shareholder of KB Media, Inc.

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•				File N	o		
Section V-	C - TV BROAD	CAST ENGINE	ERING DATA	ASB R	eferral Date		
				Refer	red by		
ame of Applica	nt	•				Call let	ters (if issu
	Sunkissed	d Broadcas	ting, Inc.			·	
irpose of Appli	cation (check appro	opriata bax):					
XX Construc	t a new (main) fa	cility – <b>Amen</b> á	bment _	Construct	a new auxiliar	y facility	
Modify facility	existing constructi	ion permit for	main	Modify ex	isting construc	otion permit fo	or auxiliary
Modify 1	icensed main faci	lity		Modify lice	en <b>se</b> d auxiliar	y facility	
purpose is to ne authorization	modify, indicate n	ature of chang	e(s) by checking	appropriate	box(es), and	specify the fi	le number(s
→ Antenna	supporting-struct	ure height	X	Effective :	radiated powe	r	
X Antenna	. height above av	erage terrain		Frequency			
X Antenna	location		X	Antenna s	ystem		
Main Stu	dio location			Other (Summ	erize briefly)		
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Allocation.	Offset						Zone
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	Minus	Panama (	City Beach	Ва	ıy	FL	
	XX Zero			<u> </u>			X
L Exact location	Check enel	Panama (	City Beach	Ва	ч	FL	
y addre	ess, town or city,	county and stad d, Youngs	te. If no address, town, FL	specify dist	ance and bear	ing to the nea	rest landma
of array. Other	coordinates (to nerwise, specify to e and West Long!	wer location. S	pecify South Lat				
atitude	30°	21'	09" Lon	gitude	85°	23 '	26"
	ng structure the	same as that of	another station	s) or propos	ed in another	pending	Yes
application(s)?							
	all letter(s) or file	number(s) or	both. WMRP/	ጥህ) • ደውረ	CT-900129	кн	

#### SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 2)

Latitude 30° 25' 20″ Longitude 85° 42	14
•	EU var Clu
5. Has the FAA been notified of the proposed construction? If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available. request	Exhibit No.
Date November 12, 1991 Office where filed Southern Region	_
6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to the nearest runway. Landing Area Distance (km) Bearing (	nearest point of (degrees True)
(a) none found	
(p)	
7. (a) Elevation: Its the nearest meter!	
(1) of site above mean sea level;	25.9 meters
(2) of the top of supporting structure above ground (including antenna all other $1464$ ' 400 appurtenances, and lighting, if any); and	46.2 meters
(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)]. $1549'$ 4	72.1 meters
(b) Height of antenna radiation center: Ito the nearest meter!	
(1) above ground; 1175 <u>3</u>	58.2 meters
(2) above mean sea level [(aX1) + (bX1)]; and 1260'3	84.1 meters
(3) above average terrain.	59.5 meters
8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of TV radiator.	Exhibit No.
9. Maximum visual effective radiated power 5,000 kw (36.98 dB)	k)

10. Antenna:	
(a) Manufacturer <u>Dielectric</u> (b) Model No. <u>TFU-25JSM</u>	•
(c) is a directional antenna proposed?	Yes XX No
If Yes, specify major lobe azimuth(s) degrees True and attach as an Exhibit all data specified in 47 C.F.R. Section 78.685.	Exhibit No.
(d) Is electrical beam tilt proposed?	X Yes No
If Yes, specify $\frac{.75}{.}$ degrees electrical beam tilt and attach as an Exhibit all data specified in 47 C.F.R. Section 78.685.	Exhibit No.
(e) is mechanical beam tilt proposed?	Yes X No
If Yes, specify degrees mechanical beam tilt toward azimuth degrees  True and attach as an Exhibit all data specified in 47 C.F.R. Section 78.686.	Exhibit No.
(f) The proposed antenna is tcheck only one box?	
X horizontally polarized circularly polarized elliptically polarized	
11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.885(a) and (b)?	X Yes No
If No, attach as an Exhibit Justification therefor, including amounts and percentages of population and area that will not receive City Grade service.	Exhibit No.
12. Will the main studio be located within the station's predicted principal community contour as defined by 47 C.F.R. Section 73.685(a)?	X Yes No
If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.	Exhibit No.
13. Does the proposed facility satisfy the requirement of 47 C.F.R. Section 73.610?	X Yes No
If No, attach as an Exhibit justification therefor, including a summary of any previously granted waiver(s).	Exhibit No.
14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters; or (b) in the general vicinity, any nonbroadcast (except citizens bend er exeteur) radio stations or any established commercial or government receiving stations?	XX Yes No
If Yes, attach as an Exhibit a description of the expected, undesired effects of operations and remedial steps to be pursued, if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by intermedulation) to facilities in existence or authorized prior to grant of this application. (See 47 C.F.R. Sections 73.685(d) and (g).)	Exhibit No.

15. Attach as an Exhibit a topographic map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the provisions of 47 C.F.R. Section 73.684(g). The map must further display clearly and legibly the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.

16. Attach as an Exhibit a map (Sectional Aeronautical thert or equivalent) which shows clearly, legibly and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:  USGS Mobile 1:1,000,000	Exhibit N VI
11,1000,000	
(a) The proposed transmitter location, and the radials along which profile graphs have been prepared;	
(b) The City Grade, Grade A and Grade B predicted contours; and	
(c) The legal boundaries of the principal community to be served.	
17. Specify area in square kilometers (1 sq. mi 2.59 sq. km.) and population (letest census) within the predicted Grade B contour.	
Area 19,355 sq. km. Population 307,103 (1990 Census, Block (planimeter)	level')
18. For an application involving an auxiliary facility only, attach as an Exhibit a map (Sectional Aeronautical Chart or equivalent) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:	Exhibit N
(a) The proposed auxiliary Grade B contour; and (b) The Grade B contour of the licensed main facility for which the applied-for facility will be the auxiliary.	
(Main facility license file number)	
19. Terrain and Coverage Data (To be calculated in accordance with 47 C.F.R. Section 73.684.)	
Source of terrain data: Icheck only one box below?	
XX Linearly interpolated 30-second database (Source: NGDC	
7.5 minute topographic map	

	Height of radiation center	Predicted Distances						
Radial bearing (degrees True)	above average elevation of radial from 3 to 16 km (meters)	To the City Grade Contour (kilometers)	To the Grade A Contour (kilometers)	To the Grade B Contour (kilometers)				
* 245	372	59.⊅	69.5	90.3				
0	347	57.8	67.8	88.0				
45	345	57.7	67.7	87.8				
90	360	58.5	68.7	89.2				
135	366	58.8	69.1	89.7				
180	365	58.8	69.0	89.7				
225	369	59.0	69.3	90.1				
270	368	58.9	69.2	89.9				
315	355	58.3	68.4	88.8				

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in calculation of HAAT.

Other (briefly summarize)

#### SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 5)

#### 20. Environmental Statement/See 47 C.F.R. Section 1.1301 et seq.1

Would a Commission grant of this application come within 47 C.F.R. Section 1.1807, such that it may have a significant environmental impact?	Yes XX No
If you answer Yes, submit as an Exhibit an Environmental Assessment required by 47 C.F.R. Section 1.1311.	Exhibit No.

#### If No, explain briefly why not.

Side mounted antenna on existing tower; combined RFR within ANSI guidelines per OST Bulletin No 65; transmitter(s) will be turned off or reduced for authorized tower maintenance.

#### CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

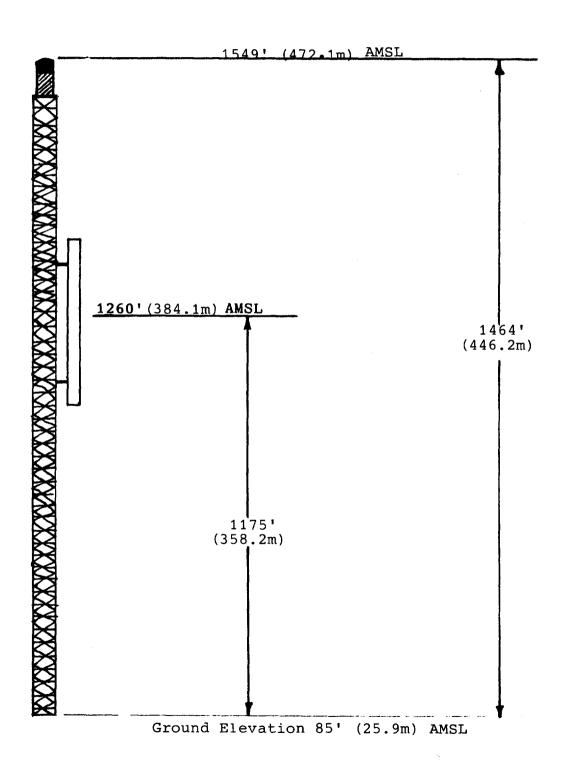
Name (Typed or Printed)	Relationship to Applicant le.g., Consulting Engineers
Dwight R. Magnuson	Consulting Engineer
De Marwon.	Address (Include ZIP Code) P.O. Box 2761 30 Market Square Mall Knoxville, TN 37901
November 12, 1991	Telephone No. (Include Area Code) (615) 525-6358

Form Approved OMB No. 2120-0001

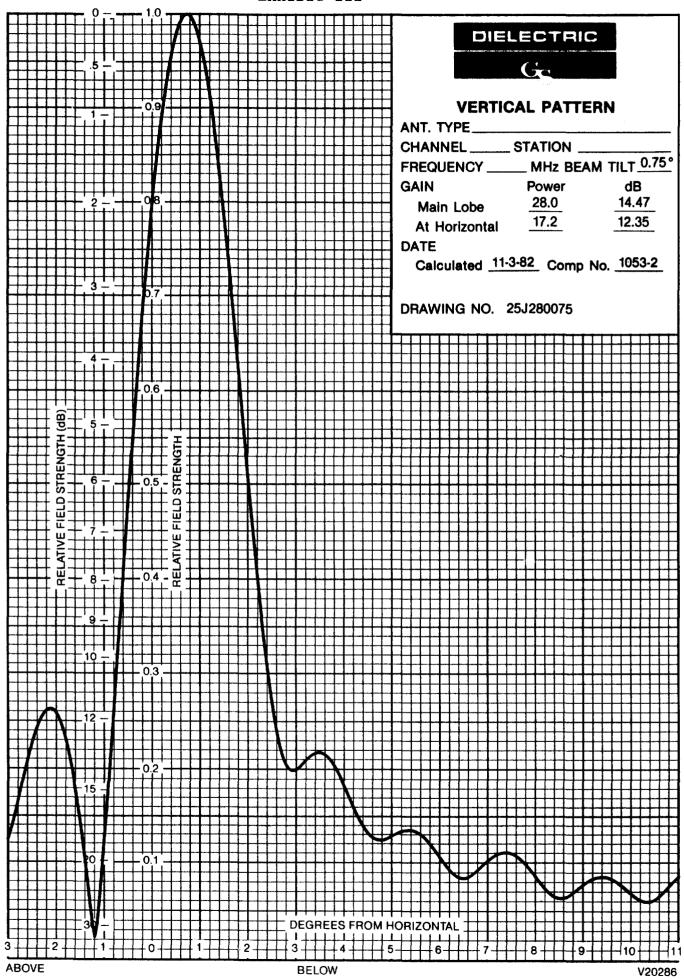
\$ U.S. GOVERNMENT PRINTING OFFICE: 1987--761-910

DO NOT REMOVE C	ARBONS		Form Approved OMB	No. 2120-0001
2			Aeronautical Study Number	r
US Department of Transportation	NOTICE OF PROPOSE	D CONSTRUCTION OR ALTE	RATION	
Federal Ariation Administration				
1. Nature of Proposi A. Type			2. Complete Description of Structure	
New Construction	B. Class  Permanent	C. Work Schedule Dates	A. Include effective radiated power and assigned the fall existing, proposed or modified AM, FM, or	TV broadcast
Alteration	Temporary (Durationmonth		stations utilizing this structure.	
3A. Name and add	dress of Individual, company, co	rporation, etc. proposing the	B. Include size and configuration of power trans and their supporting towers in the vicinity of and public airports.	
	or alteration. (Number, Street, City, State	e and zip Code)	C. Include information showing site orientation	ı, dimensions,
( 404) <u>262-7</u> area code Telepho	511 ne Number		and construction materials of the proposed and Addition to existing	
Sunk	issed Broadcasting,	Inc.	UHF TV antenna oper	_
B	Don Jones	1	on channel 46 (662-	
3017	Piedmont Road, NE		with 5,000 kw ERP.	
Suite	e 200		C-L @ 1260' AMSL.	
Atla	nta, GA 30305			
•	phone number of proponent's representative ht R. Magnuson, P.E.	if different than 3 above.	Height will not cha see 89-ASO-1920-OE.	
P.O.	Box 2761		Replaces 90-ASO-213	1-OE
	arket Square Mall		Nepruces so mos and	
Knox	ville, TN 37901		(if more space is required, continue on a sep	iarate sheet.)
4. Location of Struc	ture		5. Height and Elevation (Complete to	the nearest foot)
A. Coordinates (To nearest second)		Name of nearest airport, heliport, flightpark	A. Elevation of site above mean sea level	0.5
	Youngstown, FL	or seaplane baseSteed Head		85
30 21 09"	(1) Distance to 4B (	1) Distance from structure to nearest point of nearest runway 6½	B. Height of Structure including all appurtenances and lighting (if any) above ground, or water if so situated	1464
85 23 26 "	(2) Direction to 4B W	2) Direction from structure to airport NE	C. Overall height above mean sea level (A + B)	1549**
	of site with respect to highways, streets, airpor		res, etc. Attach a U.S. Geological Survey quadrang	ie map or
			n a separate sheet of paper and attach to this notice	·e.)
		otts Ferry Rd and Mc	Gill Rd intersection.	
	ched map			
**HEIGHT	WILL NOT CHANGE**			
Persons who knowingly ar		Part 77 are subject to a fine (criminal penalty) o	ral Aviation Act of 1958, as amended (49 U.S.C. 110 I not more than \$500 for the first offense and not mo U.S.C. 1472(a)).	
I HEREBY CERTI	FY that all of the above stateme	ents made by me are true, com	plete, and correct to the best of m	y
knowledge. In add lighting standards		cand/or light the structure in acc	cordance with established marking	&
Deta	Tuned Name/Title of Barren Siling Malin		matura 1 M/ 14.94	
11-12-91	Dwight R. Magnuso	Į ·	1 Canosa	<i>-</i>
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# DWIGHT R. MAGNUSON, P.E. Consulting Engineer



NOT TO SCALE



#### \*\*\*\*\* TV CHANNEL SPACING STUDY \*\*\*\*\*

Job title: Panama City Beach, FL Latitude: 30 21 9 Channel: 46 Longitude: 85 23 26

Database file name: d:\fccdata\tv910325.edx

									Read.	
CH	Cali	Record No.	City	ST	Z	STS	Bear.	Dist.	Dist.	Result
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460	ALLOTM	3150	PANAMA CITY BEACH	FL	3		244.2	44.3	329.0	-284.7
510	ALLOTM	3151	MARIANNA	FL	3		18.5	49.2	31.4	17.8
39+	ALLOTM	3157	DOTHAN	AL	3		359.9	96.6	95.7	.9
60~	ALLOTM	3160	DOTHAN	AL	3		.0	96.5	95.7	8
60~	WRKJ	3161	DOTHAN	AL	3	C	7.0	100.8	95.7	5.1

\*\*\*\*\* End of channel 46 study \*\*\*\*\*\*

#### EXHIBIT IV

#### Interference

Sunkissed Broadcasting, Inc. proposes to utilize an existing tower (89-ASO-1920-OE) to side-mount the channel 46 antenna. WMBB, channel 13 licensed to Panama City, FL is top-mounted on this tower. There is 60 meters vertical separation and 446 MHz frequency separation between these antennas. No interference between these stations is expected. If any interference problems attributed to this proposal should develop, Sunkissed will remedy the situation.

There are no other FM or TV stations located within 60 meters of the proposed site nor are there any AM facilities located within two miles. There are no known commercial or government receiving stations or cable head-in facilities located within the surrounding area.

